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Wyoming Governors' messages to the Legislature

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To the members ... <1920>

MESSAGE
OF
GOVERNOR CAMPBELL,
TO THE
FIRST LEGISLATIVE ASSEMBLY
OF
WYOMING TERRITORY.

CONVENED AT
CHEYENNE, OCTOBER, 12TH, 1869.

EVENING LEADER OFFICE, CHEYENNE, WYOMING.

1869.

MESSAGE.

*Fellow Citizens of the Council
and of the House of Representatives :*

It affords me pleasure to welcome the representatives of the people of Wyoming Territory, met together for the first time in our history in a Legislative capacity. The duties devolving upon you are arduous and of the most important character that will probably fall to any Legislative Assembly convened during our Territorial organization. Coming together as the pioneers of a future State, I trust that this initial point in our history will be marked by no personal dissensions, no mere partizan schemes and no local jealousies, but that we may work unitedly for the common good of the whole Territory, and through it for the good of our whole country. In this way, and in this way alone, can we secure our own self-respect, the esteem of our cotemporaries and the regard of posterity.

TERRITORIAL ORGANIZATION.

A brief glance at what has already been accomplished in the way of a Territorial organization may assist us to a better understanding of our present condition :

On the 25th day of July, 1868, the "Act to provide a temporary government for the Territory of Wyoming," was approved by the President and became a law. The seventeenth section of this act provided that the Act should take effect from and after the time when the Executive and Judicial officers therein provided for should have been duly appointed and qualified. From causes which it is not necessary here to enumerate, these officers were not appointed and qualified until the 15th day of April, 1869, when the Governor and Secretary qualified in their respective offices. On the 19th day of May, 1869, the Judicial officers having qualified and the organization of the Territory having been completed as required by law, I issued my first proclamation defining the Judicial Districts of the Territory, assigning the Judges to the several Districts, and designating the times and places for holding courts therein. On the 9th day of June, the second proclamation was issued. It was intended merely to supply an omission in the first, and attached for judicial purposes to the county of Carter and Third Judicial District, that portion of Wyoming detached from the Territories of Idaho and Utah. Under these and subsequent proclamations, terms of the District Courts have been held in each of the Districts. A large

amount of business has been brought before the courts and disposed of in a manner highly creditable to the officers of the several courts, and it is believed to the very general satisfaction of all law-abiding citizens of the Territory.

CENSUS.

In the meantime, the United States Marshal was instructed on the 28th day of May, to take "a census or enumeration of the inhabitants of the several counties or districts of the Territory," as provided by the fourth section of the Organic Act. The Marshal proceeded with due diligence to the execution of the duties imposed upon him, but owing to vexations and unavoidable delays, occasioned by the declination or refusal to act of some of the deputies, and other causes growing out of the sparseness of population, and wide extent of territory to be traversed, the full returns of the census were not received until the 30th day of July.

ELECTION.

On the 2nd day of August, a proclamation was issued as provided in the fourth section of the Organic Act, calling an election to be held at the several precincts therein designated, on the 2nd day of September, for members of the Legislative Assembly, and for a Delegate to represent the people in the Forty-First Congress. The election was held at the time designated and as one of its results there was delegated to you the responsible duty of framing the first laws of our local government. Estimates of the expenses incurred in taking the census and holding the election, together with the returns received, will be submitted to you for your information and action.

APPOINTMENTS.

On my first arrival in the Territory a number of cases were reported to me of vacancies in office, and of persons holding office under doubtful authority. In some such cases I have filled the vacancies by appointment, and I have issued new commissions to those whose authority to act as officers was doubtful. In other cases, where there appeared to be no immediate necessity for filling the offices, I have made no appointments, and the vacancies still exist.

INDIAN RAIDS AND MILITIA.

On the 10th of May, the Sioux Indians made an incursion into Wind River Valley, where they murdered four white men, stole a number of horses and mules, and escaped with their booty. The facts were reported to me by the County Commissioners of Carter county, with the request that troops might be sent for the protection of the citizens. On my report of the facts to the commander of the military department of which this Territory is a part, he promptly responded that he would furnish the troops as soon as it was possible, and soon after he sent to the Wind River Valley one company of Infantry and one company of Cavalry, one of

which is still in the Valley. On the 3rd day of July, the Sioux made another inroad into the Valley, carrying off some stock. And again, on the 14th day of September, they came into the Valley and murdered four white persons, but were driven off with considerable loss, by the troops. On the 28th of the same month, they made a raid on the mining settlements and murdered three miners near Atlantic City, escaping unmolested. Immediately after the raid in July, at the request of prominent citizens, I applied to the department commander for arms and ammunition, to which request he responded by telegraphing to Fort Bridger an order to have the arms and ammunition sent at once to the Commissioners, at South Pass City, for distribution to citizens in threatened localities. These arms have been receipted for by the County Commissioners of Carter county who are held personally accountable for them, and who also paid for their transportation to South Pass City. This responsibility is one which it is unjust to compel them to assume, and from which they should be relieved. In order to place it where it properly belongs, and at the same time provide more efficient means for the protection of the settlers against Indian raids, I recommend the passage of a militia law, providing for the formation of volunteer companies or the enrollment of all persons liable to military duty, under such rules and regulations as you may deem proper. Upon my application the Secretary of War has promised to furnish the quota of arms to which the Territory is entitled under the laws of Congress, and as soon as it is decided what kind of arms are needed for militia, they can be procured.

I have thus given briefly a sketch of the organization of the Territory so far as it has been effected, and the principal events that have occurred in it since its organization. The future is in your hands and the hands of the people whom you represent.

EXTENT OF THE TERRITORY.

The Territory of Wyoming is rectangular in form, and extends from the twenty-seventh to the thirty-fourth meridian of longitude, and from the forty-first to the forty-fifth degrees of latitude, embracing an area of some 97,600 square miles, or about 62,464,000 acres.

Our climate presents the most agreeable condition of climatic influences on earth, and we have well-grounded reasons for believing that on our soil and underneath it are to be found all that can be desired to insure for our young Territory a growth in wealth and prosperity unsurpassed even by the marvelous progress of the rich and populous States which were but a few years since the Territories of the West.

AGRICULTURE.

It is impossible at present to estimate properly the agricultural capabilities of our soil. We have long known that in the rich valleys of our mountain streams, the cereals, vegetables and other products, grow as luxuriantly as in the most favored regions of the temperate zone.

Such is the unvarying testimony of the travelers who have explored these valleys confirmed by the more recent experience of settlers, all of whom are delighted with their salubrity of climate and fertility of soil. In the present season, experiments are being made by public spirited citizens, which so far as they have advanced, have produced the most favorable and encouraging results, and prove that by a proper system of irrigation, there is but a small portion of our soil, if any, that may not be made to produce the kindly fruits of the earth in due season. In addition to this, the great climatic change that has taken place since the settlement of the Territory, warrants us in indulging the hope that in the not far distant future, a sufficient quantity of rain will fall each season to bring forth and mature the season's crop.

TREES.

One of the greatest inconveniences under which we labor, is the scarcity of timber for use and trees for fruit, shade and adornment. It is known that trees will grow in almost all portions of the Territory, and I would recommend that you devise such constitutional means as are in your power to encourage their culture.

STOCK RAISING.

In the chosen home of the buffalo and the other graminivorous animals, which have for unnumbered years roamed over our plains and subsisted upon their succulent and nutritious grasses, it would seem superfluous to say anything in relation to our advantages as a stock-growing country, or the wisdom and propriety of passing such laws as will give protection to herds and flocks, and thus encourage our people to engage in pastoral pursuits. In a climate so mild that horses, cattle, sheep and goats can live in the open air through all the winter months, and fatten on the dry and apparently withered grasses of the soil, there would appear to be scarcely a limit to the number that could be raised.

There is an old Spanish proverb that "wherever the foot of the sheep touches, the land is turned into gold," and the dry, gravelly soil of our plains, is peculiarly adapted for raising sheep; for while it produces the richest of grasses for their consumption, it is of a character that preserves their feet from the diseases most fatal to the flocks. As it is well known that the finer wools are grown at great altitudes, we should be able to supply the world with almost unlimited quantities of the best wool. While it may be justly deemed a reproach to the country at large that the United States has been for years past an importer of wool to the average amount of fifty millions of pounds per annum, it is a source of satisfaction to us to know that there is a ready market at our doors among our own countrymen for so large an amount of all that we can grow.

It is not sheep alone of the wool-bearing animals that can be made so profitable on our plains. Our mountain ranges are in many respects reduplications of the country in which the most valuable and del-

icate varieties of the cashmere or Angora goats are raised, and those flocks which browse on the shrubs growing at high altitudes in the rare high atmosphere of the mountains, invariably produce the longest and finest fleece. The importation of these goats into our Territory should be encouraged.

Unnumbered cattle must be raised and fattened on our soil, and with the cheap railroad freights which we have a right to expect, the herdsman of our plains, while advancing his own fortunes, will prove a benefactor to the laboring classes of the East, by bringing the price of the best beef within the limit of their means.

PETROLEUM.

In the different and widely separated portions of our Territory large quantities of petroleum have been discovered, rendering it certain that in the not distant future this will prove one of our great sources of wealth.

MINING INTERESTS.

The incalculable mining resources of our Territory demand your most serious and careful consideration. Although we are accustomed to look upon mines when they are first discovered as capable of yielding an unfailing supply of minerals, all experience points to the fact that the supply in a mine or mining district, is limited, and the mines, especially of the precious metals, are sooner or later, exhausted. I believe it is the duty all governments to look more closely to these than to any other of our material interests. It is our duty to carefully watch the unlocking of what has been so aptly described as the "strong box of the country," because, once carried away, its treasures can never be replaced, while the other sources of wealth, can only be retarded in their development, but never destroyed. The farmer, may by rotation of crops, or by resting his exhausted fields, recuperate his worn out soil. The shepherd and herdsman, so long as they have the land, may raise other flocks and herds in the place of those slaughtered for the market, or which have fallen victims to disease. But where minerals are taken from the earth they are not to be replaced. So much wealth has been taken from the earth—the precious metals, to form the circulating medium of the world, and the iron, copper and other of the baser metals to be reproduced and manufactured into the thousands of imperishable, useful and beautiful forms which the growth of an enlightened civilization has made almost as much necessities for our people as the perishable products of the soil. Indications of the existence of silver, copper and lead ore and other minerals, have been discovered in various portions of the Territory, and will, no doubt, in time, prove remunerative to those who will work the mines. Our immense deposits of valuable iron, ore can be transmuted almost on the spot where it is taken from the earth into iron of the best quality. Our vast coal beds supply us with a coal which has in it no trace of sulphur, and requires no preparation to make it useful for smelting purposes.

These coal beds obviate the necessity for wood for fuel, by yielding us a hard bituminous coal of as good a quality as has been discovered in any other mines in the country. More than this, they have made the successful working of the Pacific Railroad no longer a problem. They will enable us to supply the markets of the treeless plains east of us, and of the Pacific slope of the mountains. They will give employment to thousands of laborers, and prove a source of untold wealth to our future State.

GOLD MINES.

On the slopes of the several eastern ranges of the Rocky mountains where they descend into the rich valleys of our mountain streams, have been discovered indications of the richest gold-bearing districts, that have ever yet been opened upon this continent. In but two of these districts, one near the head of the Sweetwater river, and the other near the North Park on the southern borders of our Territory have the mines been even partially developed, and the results obtained in these districts have been of a character to justify us in indulging the highest hopes of their immense resources. The quartz rock is unusually rich, showing numerous traces of free gold; it is free from sulphurets or other refractory mineral substances, and readily yields to ordinary treatment. Water is easily procured, and gulch mining is extraordinarily profitable.

Wise laws for the regulation of mining and the protection of miners should be enacted. In the enactment of these laws it is a difficult question to decide where your duty to the Government ends, and encroachment on the rights of the private citizen begins, but fortunately you have past experience to guide you. It might be a proper subject for your consideration whether it is in the province of the Legislature to enact such laws as will prevent an ignorant, wasteful and destructive system of mining.

The history of mining jurisprudence is almost entirely made up of cases arising out of disputed claims and titles. It is simple justice to the miners to enact laws such as will enable them to procure proper and indisputable titles to their mines. By this course the best interests of our miners and of our whole people will be subserved, as capitalists will have no hesitancy in making investments in mines which are sure not only to yield a profitable return, but where they can also feel assured that their rights and interests will be protected during their personal absence, by all the solemn guaranties of law.

GENERAL OBSERVATIONS.

I would by no means advocate the fostering of one interest to the detriment of others, but our agricultural, pastoral, mining, manufacturing and commercial interests are so intimately blended—so dependent one upon the other for their full and complete development—that to foster one interest will almost necessarily result in the stimulating and sustaining the other resources of our wealth. The large mining districts

will require food, and no more productive soil can be found for the agriculturist than the rich valleys into which the gold bearing slopes descend. Our grazing lands will subsist horses and oxen for their daily uses, furnish beef and mutton for their daily consumption, and wool for their clothing; and this wool will bring a manufacturing population in our midst, whose engines and looms will be made from the iron now hidden in our soil, and propelled by coal taken from our vast coal beds.

Let no one imagine that I am drawing an imaginary sketch or speaking other words than those of truth and soberness. The realities of the past half century—even of the past score of years—are to us prophecies, not simply of the possibilities but of the probabilities of our almost immediate future. These wonders in our country are the results, under the providence of God, of labor intelligently directed and perseveringly applied.

BUREAU OF STATISTICS.

In order to properly direct, and also to ascertain the results of the labor of the thousands of immigrants that will doubtless at an early day fill up our Territory, I respectfully recommend to your consideration the establishment of a Bureau of Statistics, under charge of a Commissioner, whose duty it should be to collect all information in relation to our history, resources, progress in agriculture, mining, manufactures, commerce, and all other information in relation to the Territory, which might be of present or permanent interest. Such a Bureau would enable our Legislative and Executive Departments to act intelligently in all their projects for the advancement of the interests of Wyoming. If it is deemed unadvisable from motives of economy to increase the number of officers in the infancy of our Territory, this duty might be devolved upon one of the Territorial officers in connection with his other duties.

IMMIGRATION.

The encouragement of immigration is of the greatest importance to us. The incalculable wealth of our plains, valleys and hills will be of no benefit to us, if we do not obtain the labor that will make that wealth available. The emigrants of the old world are flocking to a country where the poorest citizen is under the protection of law equally with the richest. It is this class emigrants we should secure. Descended from the same ancestors—of kindred blood and religion—they would rapidly assimilate and become as one with us. We should have upon our soil as nearly as possible a homogeneous people, if we expect to make sure progress in our moral and material prosperity. But while this class of permanent settlers are most desirable, we should remember that all labor is profitable, and that all emigrants of whatever nationality, who will aid us in the development of the resources of our Territory, should be aided and encouraged to come amongst us. It should be the

duty of the Commissioner of Statistics to collect and disseminate information in relation to our Territory in such way as might be deemed most advisable, and best calculated to induce immigrants to make their homes with us. I would respectfully recommend that an appropriation from the Treasury be made for this purpose.

EDUCATION.

The subject of education will doubtless receive your early attention. In laying the foundation of a new State this should be the corner stone, for without it no durable political fabric can be erected. It matters little how great our material prosperity may be, if our moral and intellectual growth does not keep pace with it. It is a duty we owe not only to ourselves and to our posterity, but to mankind. In the diffusion of knowledge among the people rests our only hope for the preservation of our free institutions. During the late war, when armed treason attempted the destruction of our Government, it was from those sections where school houses and churches were most numerous that the greatest number sprang to arms to defend the institutions that education, received in those churches and school houses, taught them to appreciate. Let us remember, also, that "Righteousness exalteth a nation." The church follows the schoolhouse. They mutually support each other, and when the State builds one, the people are soon educated to build the other. Now in the infancy of our Territory, let the fostering aid and encouragement of the Government be given to every scheme for the advancement of education, and to establish as the corner stone of our embryo State, the principle of universal free, common school education.

PACIFIC RAILROAD.

In one particular our situation as a Territory is entirely new and somewhat anomalous for pioneers. For the first time in the history of our country the organization of a Territorial government was rendered necessary by the building of a railroad. Heretofore the railroad has been the follower instead of the pioneer of civilization. It is our duty to shape our action in all the departments of the Territorial government so as to assist in carrying out the object which the Government and the projectors and builders of the road had in view. We should never forget what the world owes to the men who had the wisdom to conceive this vast undertaking and the ability to execute it; at the same time it is a duty that we who dwell upon the line of the road owe not only to ourselves, but also to the Nation which in so princely manner, gave of its treasure to build the road, to see as far as in us lies that it is not diverted from its original object. We should endeavor by all proper means, and by representations to the proper authorities to secure that low tariff for freight and passengers which it is equally for the interests of the Railroad company to grant, and for our benefit and the benefit of the whole country to obtain.

THE INDIANS.

There is now within the limits of the Territory, one Indian reservation

proper, which includes what is known as the Wind River country, being the valleys watered by the Wind River and its tributaries. This extensive and valuable portion of the Territory is the natural basin from which agricultural supplies for our mining districts should be drawn. The valleys of these streams are capable of affording a cheap and abundant supply to our miners of all the products of the soil, and no one can doubt that this will be their use at no distant day. In addition to this Shoshonee reservation, a treaty concluded with the Sioux Indians at Fort Laramie on the 29th day of April, 1868, stipulates that the country north of the North Platte river and east of the summit of the Big Horn mountains shall be held and considered to be unceded Indian territory, and also stipulates that no white person shall be permitted to settle upon or occupy any portion of the same; or without the consent of the Indians first had and obtained, to pass through the same. These lands comprise more than one-fourth of the finest and richest portion of our Territory—our strong box and our garden spots. Under the present wise and judicious policy of the government to collect the Indians on their reservations, where they are to be taught the arts of civilization, and instructed in the cultivation of the soil, these unceded Indian lands must soon be abandoned by the Sioux, and they will be restricted to their reservations proper. I trust that as the Indians have already violated the treaty, it will be entirely abrogated by our government, and this vast extent of territory given up to civilization. I hope also that the reservation for the Shoshonee Indians will be restricted so far as to give to each Indian as much arable land as will by proper cultivation yield him a support, and no more. This the Indian has a right to ask. It is a mistaken kindness to give him more, and so long as these immense reservations are kept up, so long will Indian troubles continue and the settlement of the country be retarded. There is but one honorable, legitimate way in which these lands can be settled, and that is by securing a modification of the treaty with the Indians. As long as these treaties are in force they are the law of the land, and as such will be respected by all good law-abiding citizens. It is our duty to see that these treaties, which are the most sacred of laws, should be faithfully carried out on our part. The Indian is jealous of his rights, and when his domain is invaded it is the white race that he holds responsible and not any particular individual, and it is on the nearest of the race that he wreaks his vengeance. In addition to this, it is at present only the reckless adventurer that profits by these encroachments on Indian territory. Honorable men, respecting the laws of the land, cannot be induced to break the faith of the government and jeopardize the lives and property of innocent citizens, by encroaching upon their land and exasperating unreasoning savages.

GAME LAWS.

At present an abundance of game is roaming over our plains, and the finest and most delicate fish abound in our waters, which will, so long as they can be saved from wanton destruction, prove a constant source of pleasure to sportsmen and of revenue to the hunter. I would earnestly recommend the passage of laws for the protection of game and fish during the breeding season in order that a constantly recurring supply may be had for our use.

REGISTRY LAW.

Every effort should be made to preserve the purity of elections, without which our boasted free institutions are a delusion and a cheat, and as experience has demonstrated that a registration of votes is of the greatest assistance in preserving the purity of the ballot box, I would respectfully urge upon you the passage of a law providing for such registration.

CODE OF LAWS.

The adoption of a code of civil and criminal procedure for the Territory is of vital importance. As your session is limited by law, and so many subjects will be pressing upon you for action, I would respectfully suggest that the preparation of a code be referred by you to a commission to consist of the Chief Justice of the Territory and such other persons learned in the law as he may select. The code should be prepared and presented to you for your action at as early a day in the session as practicable.

SALARIES OF THE JUDICIARY.

Your attention is invited to the inadequate salary given the Judiciary of the Territory. It should be remembered that these officers are prohibited by their position from engaging in the practice of their profession, and the small salary that they receive is all that they can rely upon for their support. I would suggest that you take into consideration the propriety of making an appropriation from the Territorial Treasury for increasing their salary to a sum in some measure commensurate with the value of their services, the amount of labor they perform, and the high price of living in the Territory.

LAND OFFICE.

We are at present laboring under great inconvenience on account of the failure of Congress to establish a Land Office in the Territory. An appropriation was made for surveying the public lands of Wyoming, but from some cause a bill for establishing a Land Office did not pass. This is of the greatest importance from the fact that the improvement of the soil will not be undertaken within twenty miles of the railroad on either side so long as there exists the present uncertainty as to whether the land belongs to the government or the Railroad Company. I do not doubt, however, that Congress, which has always been liberal and generous in its course towards the people of the Territories, will remedy this at its next session.

PENITENTIARY.

By an Act of Congress approved 23d January, 1867, the net proceeds of the internal revenue in certain Territories of the United States, to the amount of forty thousand dollars in each, was set aside for the purpose of erecting penitentiaries at such places in the several Territories as might be selected by their respective Legislatures. Under an arrangement I had entered into with the Superintendent of the House of Correction at Detroit, Michigan, for the confinement and subsistence of prisoners convicted in our Territorial Courts, the details of which will be submitted to you for your approval, or disapproval, all criminals must be transported to Detroit, at considerable

expense, and with great liability of their escaping. From motives of economy and prudence, we should have a penitentiary at some accessible point in our Territory, and it would be well for you to select a site for a penitentiary at your present session in order that should Congress pass a law authorizing the retaining of any sum from the internal revenue collected in the Territory for the purpose of building the penitentiary the work may be proceeded with without delay. The Territory of Dakota has thus far reaped the benefit of the revenue collected in what now forms the Territory of Wyoming.

TERRITORIAL LIBRARY.

I am informed by the Secretary of the Interior that he has in his possession a number of volumes of "State Papers," and other public documents, which will be forwarded for the Public Library in case the Territory will pay for their transportation. I would recommend an appropriation for this purpose, and for the establishment of a Territorial Library.

COUNTY ORGANIZATION.

That portion of Wyoming detached from the Territories of Utah and Idaho is without a county organization and it will be necessary for you to take action to remedy the inconvenience attending this condition of affairs.

ECONOMY.

I desire most earnestly to impress upon you the necessity for the most rigid economy in making appropriations for the administration of the Territorial Government. Scan closely every project for taking money from the public Treasury. A heavy debt has been incurred by our Government in the successful prosecution of a war to prevent the disruption of our beloved country, and we are called upon to bear our share of the honorable burden. In view of this fact, our Territorial taxes should be made as light as possible. Let us make economy the rule here as it is in the National Administration. Let us incur no debt that can possibly be avoided. Let each day bear the day's burdens, and all will be well for ourselves and for our posterity.

TERRITORIAL OFFICERS.

I take pleasure in assuring you of my hearty support, and think I may safely promise you the intelligent and cordial co-operation of my associates in the Territorial offices, in all your projects for the development of the resources of the Territory and the advancement of her true interests.

CONCLUSION.

In conclusion I cannot but congratulate you upon the favorable auspices under which you are assembled. Peace is within our borders. Concord and good feeling are taking the place of discord and animosities engendered by the war. In the wake of peace will follow all National blessings. Although we can take no part in National politics, we rejoice that we have an Administration from which we may confidently expect adherence to the fundamental principles of our government. We rejoice that we are citizens of an undivided country almost boundless in extent and inexhaustible in resources. God grant that we may all prove worthy of these blessings, and that your deliberations may be alike honorable to yourselves and creditable to our country.

J. A. CAMPBELL.